

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for granting the telephone interview conducted on August 5, 2009. During the interview, a further explanation regarding the distinctions between the claimed subject matter and the prior art references, namely Matthews, Knudson, and Stern, was presented by the applicant's representative. In particular, the cited references fail to disclose all the limitations as required in independent claim 1. The Examiner agreed to perform a new search and reconsider the application in light of the argument presented during the interview.

By the present amendment, claims 1-7, 9-15, and 17-41 remain in this application. Applicant respectfully requests reconsideration and allowance.

#### ***Claim Rejections - 35 USC § 103***

Claims 1-23, 25, 27, 29, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews, patent number: US 6,631,523 B1, in view of Knudson, publication number: US 2005/0216936 A1, in further view of Stern, patent number: US 7,395,514 B2. The rejection is respectfully traversed for at least the following reasons.

Independent claim 1, in part, explicitly requires "said first information handling system being configured to search a worldwide network for information regarding a transitory broadcast event and to incorporate the transitory event information into the generated program guide prior to transmitting the program guide to said second information handling system, said transitory broadcast event being a scheduled live broadcast event". The passage cited by the Examiner in the Matthews reference merely discloses hyperlinks supplied with the program records received from the headend 22 (see col. 9, lines 54-56). The disclosure is distinguished from search a

worldwide network for information regarding a transitory broadcast event as set forth in claim 1. Knudson and Stern also fail to teach or suggest the above-mentioned limitation.

Claim 1 further requires “wherein the program guide has a predetermined number of established program channels, said first information handling system being configured to add the information regarding the transitory broadcast event on the worldwide network as a temporary channel created in addition to the predetermined number of established program channels in the program guide”. Matthews discloses inserting hyperlinks into the electronic program guide as supplement content to the existing channels (see col. 9, lines 50-58, col. 10, lines 12-17, and Fig. 2), but does not teach or suggest adding the transitory broadcast event as a temporary channel in addition to the established program channels. Furthermore, Knudson discloses displaying advertisements on the program guide. However, the advertisement shown on the program guide is merely a list or a slot of the program guide, but is not “information regarding the transitory broadcast event on the worldwide network as a temporary channel”. The merely display of advertisements on the program guide does not teach or suggest the above-mentioned limitation as it is not associated with a program channel which broadcasts a program. Moreover, Stern teaches a Web program guide with a schedule for Web netcasts (see Fig. 5). Stern, however, fails to teach or suggest adding information regarding the transitory broadcast event as a temporary channel in addition to the established program channels.

For the above reasons, Matthews, Knudson, and Stern, either alone or in combination, fail to disclose all limitations as required in claim 1. Therefore, applicant respectfully submits that claim 1 is allowable over the references, and withdrawal of the rejection is respectfully requested.

Similar to the explanation above with respect to the patentability of claim 1, Matthews, Knudson, and Stern fail to disclose all limitations as required in independent claims 9 and 17. Thus, it is respectfully requested that the rejections of claims 9 and 17 be withdrawn.

Claims 2-8, 10-16, 18-23, 25, 27, 29, and 39-41 each depend from a respective one of independent claim 1, 9, or 17 and are, therefore, allowable for at least the reasons provided in support of the allowability of claims 1, 9, and 17.

Claims 24, 26, 28, 30, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews in view of Knudson and Stern, in further view of Ellis, publication number US 2003/0020744 A1. Claims 24, 26, 28, 30, 31, and 32 each depend from a respective one of independent claim 1, 9, or 17 and are, therefore, allowable for at least the reasons provided in support of the allowability of claims 1, 9, and 17.

Claims 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews in view of Knudson and Stern, in further view of Schein, patent number US 5,801,787. Claims 33-38 each depend from a respective one of independent claim 1, 9, or 17 and are, therefore, allowable for at least the reasons provided in support of the allowability of claims 1, 9, and 17.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. ACER-45265.

Respectfully submitted,  
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